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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DOUGLAS KEANE,

Plaintiff,

v.

ATLAS HOSPITALITY GROUP,  
HEDMARK VIII, LLC and WESTLAND  
FINANCIAL III, LLC and JUSTIN B.  
MYERS.

Defendants.

Case No. C 07-06074 EMC

**STIPULATION AND [PROPOSED] ORDER  
OF DISMISSAL OF ACTION AS TO ATLAS  
HOSPITALITY GROUP AND JUSTIN B.  
MYERS WITH PREJUDICE PURSUANT  
TO F.R.C.P. 41(a)(1).**

Action Filed: October 22, 2007  
Action Removed: November 30, 2007  
Judge: Hon. Edward M. Chen

IT IS HEREBY STIPULATED by and between Plaintiff DOUGLAS KEANE and  
Defendants ATLAS HOSPITALITY GROUP and JUSTIN B. MYERS, through their counsel of  
record, that that the above-captioned actions are dismissed with prejudice pursuant to Federal  
Rules of Civil Procedure Rule 41(a)(1) against the following defendants only:

1. ATLAS HOSPITALITY GROUP
2. JUSTIN B. MYERS

Each party will bear its own costs. The parties further stipulate that the Court may enter an order based on this stipulation. The action remains as to Defendants HEDMARK VIII, LLC and WESTLAND FINANCIAL III, LLC.

Dated: March 14, 2008

FOLGER LEVIN & KAHN LLP

/s/

Joel D. Smith  
Attorneys for Plaintiff  
Douglas Keane

Dated: March 14, 2008

KEANE LAW FIRM

/s/

Christopher Keane  
Attorneys for Plaintiff  
Douglas Keane

Dated: March 14, 2008

LONG & LEVIT LLP

/s/

Douglas J. Melton  
Attorneys for Defendants Atlas Hospitality Group and  
Justin B. Myers

[PROPOSED ORDER]

Following the stipulation of the parties, and FRCP 41(a)(1), IT IS HEREBY ORDERED that the action as against Defendants ATLAS HOSPITALITY GROUP and JUSTIN B. MYERS be, and hereby is, DISMISSED WITH PREJUDICE, each party to bear his, her or its own attorney's fees and costs. The action remains as to Defendants HEDMARK VIII, LLC and WESTLAND FINANCIAL III, LLC.

Dated: March \_\_\_, 2008

Honorable Edward M. Chen  
United States District Court Magistrate Judge

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